

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHARLES ALTMAN,

Plaintiff,

USDC SDNY
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DATE FILED: 01/31/2022

-against-

22-cv-0732 (LAK)

RICHARD S. DIPRETA, et ano.,

Defendants.

-----x
ORDER

LEWIS A. KAPLAN, *District Judge*.

Jurisdiction purportedly is invoked under 28 U.S.C. § 2201 and Federal Rule of Civil Procedure 57.

The complaint fails adequately to allege the existence of subject matter jurisdiction because neither 28 U.S.C. § 2201 nor Rule 57 confers jurisdiction on the district courts. Nor does the complaint adequately allege diversity of citizenship, and thus come within 28 U.S.C. § 1332, because, perhaps among other things, it fails adequately to allege:

- The citizenship of one or more natural persons. *See, e.g., Sun Printing & Publishing Ass'n v. Edwards*, 194 U.S. 377 (1904); *Leveraged Leasing Administration Corp. v. PacifiCorp Capital, Inc.*, 87 F.3d 44 (2d Cir. 1996).
- The citizenship of one or more partnerships. *See Carden v. Arkoma Assocs.*, 494 U.S. 195 (1990).

Absent the filing, on or before February 10, 2022, of an amended complaint adequately alleging the existence of subject matter jurisdiction, the action will be dismissed.

SO ORDERED.

Dated: January 31, 2022



Lewis A. Kaplan
United States District Judge